

T H E

# RULES and CONSTITUTIONS

For Governing and Managing the

## MAIDEN-HOSPITAL.

Founded by the Company of  
Merchants, and *Mary Erskine*,  
in *Anno 1695*.

Allowed and Confirmed by an Act of Par-  
liament of Her Majesty Queen *ANNE*,  
dated the 25th *March 1707*,

Amended and Approven in a General Meet-  
ing of the Contributors, upon the 9th *Fe-*  
*bruary 1708*.

Ratified by the Lord Provost, Baillies and  
Town Council, upon the 9th *March* the  
said Year, except in so far as the same have  
been altered by an Act of the Contributors,  
dated 10th *February 1718*.



EDINBURGH:

Printed by ROBERT FLEMING and Com-  
pany, MDCCXXI.

CONSTITUTIONS

of the Company and Managing the

MANHATTAN HOSPITAL

incorporated by the Legislature of  
the State of New York in the year  
1805

Approved and Granted by an Act of the  
Legislature of the State of New York  
in the year 1805

As amended by an Act of the  
Legislature of the State of New York  
in the year 1805

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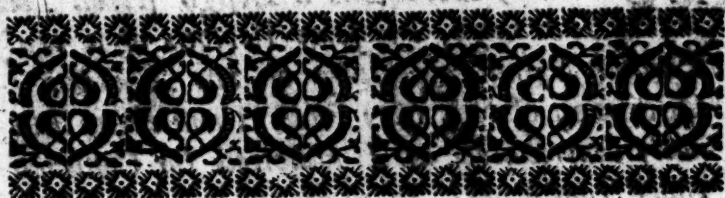
Printed by the Town of New York, in the  
City of New York, at the Press of  
J. B. R. in the year 1805  
This book is deposited in the  
Library of the City of New York  
and is to be preserved by the  
City of New York

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THE  
LIBRARY OF THE  
CITY OF NEW YORK  
AND THE  
LIBRARY OF THE  
MUSEUM OF THE  
CITY OF NEW YORK





THE  
**PREFACE.**

Charitable Reader,

**A***S there is no Duty more frequently commanded and commended in the holy Scriptures, than Charity and Bounty, and Liberal Giving to the Poor; So no Charity is more Pleasing to GOD, and Profitable to Mankind, than the Erecting and Providing Hospitals for the Maintenance of the Aged and Young, who can do nothing for themselves, being most Diffusive, Extensive and Lasting, and so most Honourable to the Giver.*

*This Honourable City of EDINBURGH had divers Hospitals for Aged Men and Women, and the famous Hospital founded by George Heriot, for Boys; which are for the Relief of many: But there was found want-*

ing one for the Relief of Girls; For the Supply of which, there was a Design set on Foot a few Years ago, by some Persons of a truly Publick Spirit, especially of the Merchant-Company of this City, who themselves liberally contributed, and solicited for Contributions from others, to so pious and charitable a Work; being much encouraged therein by the Worthby and Charitable Mary Erskine Relict of James Hair Druggist; who not only purchased convenient Lodgings, with large and pleasant Gardens, and other Accommodations every Way fit for that Design, to the Value of Twelve Thousand Merks, but also, a little before her Death, added a considerable Sum to her former Bounty.

Her Grace the Dutches of Hamilton, and the right Honourable Lady Margaret Hope, and the Earl of Hopetoun, deserve also to be named with Honour, for their early and seasonable Liberality to this good Work.

After the Prudence and Diligence of the worthby Promoters of this pious Design, had procured liberal Donations from divers charitably disposed in and about the City, and from several honourable Persons in the Country, the Contributors were called together, and having met by themselves or their Proxies, did agree upon, and settle some Rules and Constitutions for the Management of the  
Stock,

## P R E F A C E.

*Stock, and Government of the Hospital, which, by Order, were printed in the Year 1702, that all might see what Care was taken for imploying Faithfully what was, or thereafter should be given, for Advancing so charitable a Purpose.*

*Since the Publishing of these Constitutions, by the Blessing of GOD, upon the assiduous Endeavours of some truly honourable and worthy Persons concerned in managing the Hospital's Affairs, the Stock thereof is greatly improved, by Donations obtained from Persons of all Ranks at Home; and several generous Foreigners have bestowed liberal Tokens of their Charity thereupon; in so much as, upon the Interest thereof, about Thirty Girls are presently maintained, and virtuously educated therein; besides, that the good Example and happy Success attending the Pious Endeavours of the Promoters of so necessary a Work, hath had the happy Influence upon the Corporations of the Craftsmen of Edinburgh, with the liberal Assistance of the foresaid Mary Erskine, and other Charitable Persons, to erect another Hospital of the same kind for Craftsmens Children of the Female Sex.*

*The Progress of this good Work did encourage these imployed therein; First, To apply to the Council of the Good Town for a Ratification of its Establishment, which being obtained, they next procure an Act of Parliament rati-*

fyng and confirming the same, and annexing thereto all Privileges and Immunities usual to be conferred upon such a pious Foundation.

While the Divine Providence, in the Concourse of so many gracious Events, hath so much advanced this good Design, to the great Comfort of both the Charitable and Neccessitous; The Governours, after some Tears Experience, and being more especially excited thereto by the said Mary Erskine, at making her Additional Mortification; Have judged it their indispensible Duty, to take the said printed Constitutions under their Review, according to the Power reserv'd to them in the 19th and 22d Chapters thereof; That, as much as possible, they might establish such Useful and Suitable Rules and Constitutions for Managing the Stock, and Governing all Persons and Affairs belonging to the Hospital, as might in some Measure correspond to the Providence of the Almighty, and answer the great Trust reposed in them by the Contributors: Upon all which Motives, they have proceeded seriously to consider the late Constitutions. And after mature Deliberation, with Advice and Consent of the Contributors, have ordered a new Edition thereof to be printed, with several Amendments, which appeared necessary for the good Management thereof in all Time coming.



# P R E F A C E.

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*A short View of the Rise, Progress and Perfection to which this Hospital, in so few Years, hath arrived, ought, in all Reason, to remove all Objections against charitable Deeds of this Nature, which commonly do, or are pretended to, arise from the Misapplication of such Funds. It is therefore earnestly intreated and hoped for, of all to whom these few Lines may come, whom GOD hath enabled, That they would Honour the LORD with some Part of their Substance, for promoting this so Great and Good, so Necessary, Charitable and Christian Undertaking. And if Men had a due Sense of what GOD is, and of what they are, and that all they have is from GOD, and that he is still absolute Proprietor, and they but Stewards intrusted with some Part of their Master's Goods, to be employed for these Uses he appoints, and must give Account of their Fidelity therein, there would need few Words to persuade hereunto.*

*Although few think on it as they ought, yet the giving according to our Ability to pious and charitable Uses, is not a Matter of Choice, but of Duty, a great and necessary Duty, and the Neglect of it a great Sin, which Men will count for at the Day of Judgment. And Ministers are commanded to charge the Rich, that they do good, and be rich in good Works, ready to distribute,*

willing to communicate, 1 *Tim.* vi. 17, 18. and to shew Mercy with Chearfulness, *Rom.* xii. 8. and to abound in the Grace of Liberality, 2 *Cor.* viii.

*And if you will believe the GOD of Truth, there is no such gainful Way of laying out your Estates, nor any so sure Way of laying them up. Here is the greatest Gain and the best Security ; So that there is good Cause to say, as Prov. xiv. 21. He that hath mercy on the Poor, happy is he : And also Prov. xxii. 9 He that hath a bountiful Eye shall be blessed. Such shall be blessed in their Persons ; in their Body, Psal. xli. 1, 2. and in their Soul, Prov. xi. 17. Blessed in their Name and Memory, Psal. cxii. Blessed in their Affairs, Deut. xv. 10. This is not the Way to diminish and want, but to secure your Provision, and increase your Estates. GOD All-sufficient doth take it as lent to himself, and ingageth to repay it, Prov. xix. 17. and promiseth such shall not lack, Prov. xxviii. 27. and to give Increase for it, and that according to the Proportion of giving, Prov. iii. 9, 10. Gal. vi. 7, 8. 2 *Cor.* viii. 6, 10. Prov. xxiv. 25. Luke vi. 35. Give and it shall be given to you, good Measure, pressed down, and shaken together, and running over, shall Men give unto you,*

*And*

# P R E F A C E. ix

*And though some pretend the Provision of their Children as an Excuse from Charity, yet Charity with Discretion, is so far from prejudging, that it is the Way to procure a Blessing on Children. The Seed of the merciful shall be blessed, Psal. xxxvii. 26. And is the Way to secure an Inheritance to them, Prov. xiii. 22. By Charity you leave to your Children GOD's Care and Providence, which is the surest Estate.*

*Lastly, The charitable shall, in the Life to come, be blessed for ever, Luke xi. 42. and Chap. xvi. 9. and Matth. xxv. 35. Tea, the Lord Jesus Christ will own, proclaim and reward what is done in a Way of Charity, as done to himself: And on the other Hand, Niggardlines, Neglect of Charity, and of liberal giving to pious and charitable Uses, according as Men have Ability and Opportunity, is a great Sin, and maketh liable to many a Curse, Prov. xxviii. 27. Shall cry and not be heard, Prov. xxi. 13. They shall have Judgment without Mercy, Jam. ii. 13. And at the great Day of Judgment, they shall be pronounced accursed, and condemned to everlasting Fire, Matth. xxv. 41.*

*But that I be not too tedious in this Preface, I shall conclude with a Remembrance to them who have of this Worlds Goods more than others, That you are GOD's Stewards, and will ere long be called to an Account how  
you*

## P R E F A C E.

*you employ your Estates and Rents. And it will be a far more comfortable Item in your Discharge, Item, So much given to such a Hospital, or such another pious and charitable Use, than Item, So much spent on such a Feast, such a Fashion, such a Dress, such a Room or Ring, &c. I do therefore beseech you, as you wish the Day of your Accounts comfortable, as you would not be sentenced to Hell as cursed Contemners of Jesus Christ, and would be welcomed to Heaven as Lovers of him, Abound in Works of Charity and Mercy according to your Ability: But see that you do it from a Principle, for a right End, and in a right Manner. See Heb. xiii. 16, 20, 21. 2 Cor. ix. 10. and in due Season, being mindful of Prov. iii. 27, 28. With-hold not Good from them to whom it is due, when it is in the Power of thy Hand to do it: Say not unto thy Neighbour, Go, and come again, and Tomorrow I will give, when thou hast it by thee. I do not condemn the Beneficence of good Christians in their Testaments at their Death: Yet, as such Gifts are more subject to more fraudulent Dealings, than when Mens own Hands are the Executors; so perhaps such Gifts have less of Faith and Love, being but giving when they can keep no longer, and so have less of Honour before others, and less of Comfort to the Conscience before GOD.*

*It*



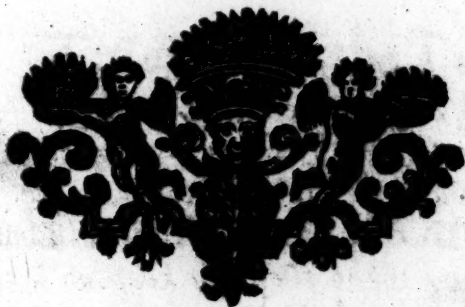
# P R E F A C E.

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*It is commanded, as we have Opportunity to do Good, Gal. vi. 10. And the Neglect of due Season, may provoke GOD to deny you the Honour of doing Good afterward, either by blasting your Substance, or by your Sickness disenabling you from performing what you did once design.*

*I shall conclude with the Words of the Apostle, 2 Cor. ix. 10. Now he that min-  
isteth Seed to the Sower, doth minister Bread for your Food, and multiply your Seed sown, and increase the Fruits of your Righteousness.---- Verses 8, 11. GOD is able to make all Grace to abound towards you, that you having All-sufficiency in all Things, may abound in every good Work.--- Being enriched in every Thing unto all Bountifulness, which causeth through us Thanksgiving to GOD.*

*Your Souls Well-wisher.*



ACT

11

REFERENCE

THE  
OFFICE OF THE  
SECRETARY OF THE  
NAVY  
WASHINGTON, D. C.  
JAN 10 1891

TO THE  
HONORABLE  
MEMBERS OF THE  
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AND  
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ACT  
OF  
PARLIAMENT

*In Favours of the Maiden  
Hospital, Founded by the  
Company of Merchants  
and MARY ERSKINE.*

**A**T Edinburgh the Twenty  
fifth Day of March, One  
Thousand seven Hun-  
dred and seven Years; Our So-  
vereign

( )  
vereign Lady and Estates of Par-  
liament, considering, That the  
Company of Merchants of *Edin-  
burgh*, and *Mary Erskine* Relict  
of *James Hair* Drogist in *Edin-  
burgh*, with the Assistance of se-  
veral Noble and Generous Bene-  
factors, have Erected a Hospital  
for Maintaining and Educating  
poor young Children of the Fe-  
male-Sex, and with the Money  
given by the said *Mary Erskine*,  
have purchased and acquired the  
great Lodgings, Houses and Yards  
in *Bristo* for Accommodation of  
the Children of the said Hospi-  
tal; And also considering that  
the Management of the said Hos-  
pital is settled on certain Gover-  
nours, Treasurer, Clerk, and  
other Officers, conform to certain  
Rules and Constitutions agreed  
upon



upon by the Donators and Benefactors, a Part whereof are contained in a Contract past betwixt the present Governours of the said Hospital, and the said *Mary Erskine*, Dated the Twelfth and Thirteenth Days of *March* Instant. Therefore, Her Majesty and Estates of Parliament, hereby Allow and Approve of the Erection of the foresaid Hospital, and Ratifie and Confirm the same, together with the Rules and Constitutions already made for Managing thereof, particularly these contained in the foresaid Contract, with the said Contract itself, together with such Rules and Constitutions as shall hereafter happen to be made, for the better Governing and Regulating of the said Hospital, and whole Concerns thereof, the  
same

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samen haill Constitutions and  
Rules, being always Consistent  
with the Laws of this Kingdom,  
and with the Amended Consti-  
tutions contained in the said Con-  
tract, and Approven of by the  
Town-Council of *Edinburgh*.  
And farther, Her Majesty and  
Estates of Parliament, hereby  
Authorize the Governours of the  
said Hospital to Receive all Mor-  
tifications and Donations that  
shall be made in Favours of the  
samen, Approving hereby of the  
samen, and of all Donations and  
Mortifications already made, De-  
claring the said Hospital in all  
Time coming, to be a free Hos-  
pital; and the foresaid great  
Lodging, Houses and Yeards,  
and Pertinents thereof in *Bristo*,  
purchased and doted for the Use  
of

( )  
of the said Hospital by the said  
Mary Brskine, to be free of all  
publick Burdens whatsoever  
for the pious Use abovemention-  
ed, with Power to the Gover-  
nours thereof, not only to Ad-  
ministrate the Funds and Rents  
of the said Hospital with all Do-  
nations already made; But like-  
wise to purchase and procure  
Lands and Tenements and o-  
thers, for the Use, Benefit, and  
Advantage of the said Hospital.  
And for that Effect, to Make  
and Grant, Give and Receive all  
manner of Writes, Deeds and Se-  
curities Necessary, and to have  
and use a Common-Seal, with  
such Inscriptions as the Gover-  
nours shall think fit, for Confir-  
mation of the saids Deeds, and  
Writes. And Generally to Have,  
B Use

Use and Enjoy all such Powers,  
Liberties, and Immunities as any  
Hospital hath, or by Law may  
have within this Kingdom.  
**EXTRACTED** forth of the Re-  
cords of Parliament, by Sir James  
Murray of Philiphaugh one of the  
Senators of the College of Justice,  
Clerk to the Parliament, and to  
Her Majesties Councils, Regi-  
sters, and Rolls.

*Ita subscribitur,*

*Ja. Murray.*



THE



( 1 )



THE  
RULES and CONSTITUTIONS

For Governing and Managing

THE  
MAIDEN-HOSPITAL

Founded by

The Company of Merchants,  
and Mary Erskine, in Anno  
1695.



At the Hospital in *Bristo, Edin-*  
*burgh* the 9th Day of Feb. One  
Thousand seven hundred and  
eight Years, the Subscribers  
and Contributors to the said  
*Maiden-Hospital*, having this Day and at  
former Meetings, had under their Conside-  
B 2 ration

ration the Original Rules and Constitutions of the said Hospital ; Which are dated the Twenty sixth Day of *November*, One thousand six Hundred and ninety seven Years. At which Time the Contributors did elect the Persons following, *viz.* Mr. *John Law*, Mr. *William Crichtoun* and Mr. *George Meldrum* Ministers of *Edinburgh*, *James Blackwood*, *Gilbert Campbell* and *John Mackilvrath*, then Assistants to the said Merchant Company, and Sir *Archibald Muir* of *Thorn-toun*, late Lord Provost of *Edinburgh*, Sir *Robert Chiesly* late Lord Provost thereof, *James Macklurg* and *Hugh Blair* late Deans of Guild, *George Clerk*, *Robert Blackwood* and *George Warrander* late Baillies, *Edward Marjoribanks* late Treasurer of *Edinburgh*, and *John Kennedy* of *Craig*, who with *Patrick Johnstoun* then Master of the Merchant Company, *Alexander Baird*, *Henry Ferguson*, *John Miller*, and *George Lauson* old Baillies, and *John Robertson* then old Dean of Guild, serving in the Council of *Edinburgh* as such, did make up the Twenty one Governors then agreed upon ; and did then also elect *Hugh Cuninghame* then Merchant as Treasurer to the said Hospital for one Year. And having likewise had under their Review the newer Draught of the Constitution, as the same were altered, amended and printed upon the Twenty third Day of *February*

ary One thousand seven hundred and two Years, according to the Power and Faculty contained in the Nineteenth and Twenty second Chapters of the said printed Rules: And having after serious Consideration and mature Deliberation, agreed upon some Amendments and Alterations, have, therefore, thought fit of new again, to transcribe the same in the following Leaves as they are now amended, which are as follows.

The Subscribers and Contributors for founding and erecting an Hospital within or near the Burgh of *Edinburgh*, for Maintenance and Education of Female Children destitute of other Supports. In Pursuance of the Appointment made in the first Paper of Subscriptions for making such Rules and Constitutions as should be agreed to by the Majority for Management of the Fund of the said Hospital, and for settling good Order therein in all Time coming, after Consultation, Advice and mature Deliberation had thereanent, have in a full Meeting of the said Subscribers, resolved upon and agreed to the Articles and Orders following, to be observed as the Rules and Constitutions of the said Hospital in all Time coming, under Amendments in Manner aftermentioned, *viz.*

## C H A P. I.

*Anent the Foundation and Name of  
the Hospital.*

**T**HAT this Hospital shall be called the  
MAIDEN-HOSPITAL, Founded  
by the Company of Merchants of *Edinburgh*  
and *Mary Erskine*; And in all Rights,  
Writings and Business of Importance where-  
in the said Hospital shall be concerned, it  
shall be called by the said Name, and none  
else.

## C H A P. II.

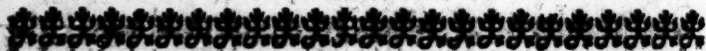
*Anent the perpetual Government of  
the Hospital.*

**T**HE perpetual Governors of the Hospi-  
tal and whole Estate thereof shall be  
the Four old Baillies, and the old Dean of  
Guild of *Edinburgh*, who serve in the Coun-  
cil of *Edinburgh* as such, and the Master of  
the



the Merchant Company, Three of the Ministers of the Gospel in *Edinburgh*, and Suburbs, yearly to be elected by the Ministers thereof, Three of the Assistants of the said Merchant Company to be chosen by the Master, Treasurer and Twelve Assistants thereof, and nine others, who either have been Masters, Assistants or Treasurers to the said Company, or Benefactors to the said Hospital, who are to be elected by a General Meeting of the said Company; and upon Account of the pious and charitable *Mary Erskine*, two of the Name of *Erskine* to be elected and presented according to the Contract with the said *Mary Erskine* dated the \_\_\_\_\_ Day of \_\_\_\_\_ making in all Twenty three Governors, and the Master of the said Merchant Company for the Time to be the ordinary Preses. And in Case one or more of the Governors shall be removed by Death, or otherwise rendered incapable to officiate; then the other Governors are to apply to the Society who choosed the Person or Persons so deceased, or rendered incapable, to elect one or more in his or their Places, to serve for the remaining Part of the current Year. And if that Society, fail therein, the Governors may within Forty Days thereafter, elect one or more to fill up the Vacancies, they being always obliged to elect out of the same Class or Society to which the dead or removed did belong;

that for Seven Years from and after *February* One thousand seven hundred and eight Years, none be admitted Governors of the Hospital, but such as have previously given Donations thereto: And the Governors are declared to have Power to continue this Article a longer Time as they shall think convenient for the Interest of the Hospital, providing that Continuation be made by the Majority of a Meeting of at least two Thirds of the Governors.



### CHAP. III.

#### *Anent the Election of Governors.*

**U**PON the Penult *Monday* of *October* yearly, the several Societies who have the Power and Privilege of electing Governors, as in the preceeding Chapter shall meet in some convenient Place within the said Hospital; and there choose the respective Number of Persons aforesaid, who, or a signed List of their Names, shall by some other Persons of the respective Societies, be upon the last *Monday* of the said Month presented at a Meeting of the Governors for the preceeding Year; and so soon as the Preses shall administer to those who are cho-

chosen of new, as also, to the Intraunt, old Magistrates, Dean of Guild, and the Master of the Merchant Company, the Oath *de fidelit* underwritten; Such of the former Governors as are continued are to be honourably dismissed. And in Respect the old Magistrates commence their serving as such, and are exauctorate before the last *Monday* of *October* yearly; and that the annual Election of the Office-men of the said Merchant Company, is some Space of Time before the said Day: It is provided that such who served in the preceeding Year, continue until the said last *Monday* of *October* yearly; and none of the Persons, Governors above-mentioned, shall have any Voice or Interest in the Concerns of the said Hospital, until he or they solemnly swear the Oath following, *viz.*

*I A. B. Do faithfully swear and promise before GOD, that to the best of my Knowledge and Power, I shall carry and demean myself in all Matters which concerns the Election of the Officers or Children, or any Thing else belonging to the Maiden-Hospital founded by the Company of*

of Merchants of Edinburgh and Mary Erskine, truly and honestly. And if I know any going about at any Time to defraud or prejudice the said pious Work, I shall obstruct it to my Power, and reveal it to the Governors.

So help me God.

And immediately after receiving the new Governors, that the Preses exhort the Governors to make Conscience of their Oversight and Management of the Hospital in all its Concerns; and for that End to attend the ordinary, quarterly, and other Meetings; and that they recommend to their Wives to visit and inspect the Virtue and Management of the Hospital, and at the same Time, that some of the Ministers present exhort the Children, Governess, Mistress and Servants within the Hospital, to discharge their respective Duties, faithfully and exactly.

CHAP.



## CHAP. IV.

*Anent a Place of Meeting, for the  
Affairs and Concerns of the  
Hospital.*

**A**LL Elections and Conclusions which  
concern any Way the Hospital, shall  
be only made and done in the ordinary meet-  
ing Place within the Building thereof, unless  
unavoidably impeded.

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## CHAP. V.

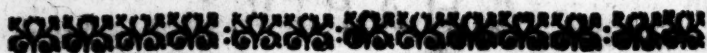
*Anent the Quorum and Manner of  
warning the Governors.*

**T**HAT in all things belonging to the  
Hospital, all the Governors that are  
for the Time within the Town of *Edinburgh*  
or Liberties thereof, shall be warned by the  
Officer of the Merchant Company who is to  
serve as Officer of the Hospital, and to have

a yearly Fee and Allowance of

And they being warned, what shall be concluded upon by the most Voices of these who compear, shall stand in Force and Effect, there being always present thereat, no less than seven of the Governors who are declared to be a *Quorum*, the ordinary Preses, and in his Absence the old Dean of Guild, or in his Absence, the first of the old Baillies, and in Absence of all these, any other chosen Preses for that Occasion presiding for the Time.

In the Edition printed anno 1708, the Quorum of the Governors was appointed to be Nine, but by an Act of the Contributors dated the Tenth Day of February 1718, the Quorum was restricted to Seven, and this Chapter ordered to be printed as it now stands.



## CHAP. VI.

### *Anent the Office and Election of a Treasurer.*

**U**PON the penult *Monday* of *October* yearly, there shall be chosen by the old Council of the Hospital, a sufficient Man

to be Treasurer to the Hospital for one Year, whose Office shall be to receive all the Hospital's Rent; to keep all Stock and Money belonging to the Hospital, to pay Wages and Allowances due to the Officers, and all Necessaries for the Children, or any other belonging to the Hospital, to look diligently to the Reparations of the Buildings, to deliver weekly to the Governels so much Money as may provide the Diet of the whole Hospital for that Week, and every Week to take in the Governels Accompts, how she has debursed the said Money, whose particular Accompts he shall keep by him on a File, or in a Book subscribed by the Governels; and it shall be in the said Treasurer's Power to comptrol the said Accompts, both for the Diet of the Hospital, and all other Charges incident to the same any Manner of Way. He shall upon the first *Tuesday* of the subsequent Month, deliver up to the four Auditors of the Hospital aftermentioned the Accompts for the Month immediately preceeding. The Treasurer shall be elected by Plurality of Voices of the Governors foresaid, and in their Presence before he exerce, shall solemnly swear the Oath following, *viz.*

**I** A. C. *elected Treasurer of the Maiden-Hospital founded by the Company of Merchants of Edinburgh and Mary Erskine, Do swear*

*swear and faithfully promise with my best Skill and Power, to discharge all that is required of me by the Statutes of the said Hospital truly and honestly. So help me GOD.*

And it is hereby declared and ordained, that a Treasurer serving the said Hospital without Fee or Salary, shall have a Vote among the Governors as a Member of the Council during the whole Space of his serving, he being always a Benefactor to the Hospital.

## CHAP. VII.

### *Anent the Accompts and Continuance of the Treasurer.*

**T**HE Treasurer of the Hospital may be continued Two Years or more; if the Governors shall think fit to elect him of new yearly. And he shall yearly make up the Accompts of his whole yearly Introductions, which shall be fairly written in a Book (in the Form and Method now prescribed) and observed since the Year One thousand seven hundred and three, and continued in the Record of the Treasurer's Accompts, and delivered



to the Auditors after-mentioned, the penult  
*Monday of October* yearly. Which the said  
 Auditors shall hear and perfect, and deliver  
 in to the whole Body of the Governors, with  
 a distinct Report thereanent upon the last  
*Monday of October*; and after the said Ac-  
 compts and Report thereon, are perused by  
 the Governors, and approven by them, they  
 shall discharge the Treasurer of the same; and  
 thereafter the saids Accompts shall be exactly  
 copied and entered in the Record of the Treas-  
 urer's Accompts, and subscribed by the Treas-  
 urer accompting, and his Successors in Of-  
 fice, to the End that the discharged Accompt  
 may remain with the said old Treasurer for  
 his Exoneration. And the Council of the  
 Hospital shall finish their Approbation of the  
 said Accompts of the Treasurer's Intromissi-  
 ons, before the Admission of the new Coun-  
 cil for the Government of the Hospital for  
 the ensuing Year, to the End that the Treas-  
 urer's Accompts may be judged by such as  
 know, and can best understand how he hath  
 acted; and that he may not be troubled with  
 Attendance for clearing his Accompts after  
 he is out of Office. And at his Removal  
 from his Office, he shall deliver up to the suc-  
 ceeding Treasurer, all Accompts, Books, Pa-  
 pers and Rights which belong any Way to  
 his Office, or may give Insight for discharg-  
 ing of the same, or which any Way belong

to the Hospital: Of which Papers two Inventars to be made and subscribed by the said old Treasurer and his Successor; one to be kept by each of the said Persons, and all to be digested and kept in the Treasury-house of the said Hospital, in good Order. And the Benefactors of the said Hospital, their nearest of Kin or Representatives, are hereby allowed, if they please, to be present with the said Auditors in their auditing. If the Treasurer shall die, or by any Necessity be removed from his Office, the Governors shall, within ten Days of his Death or Removal, proceed to the Election of a new one, observing therein the Rules beforementioned.



## CHAP. VIII.

### *Anent the Election and Duty of Auditors of the Treasurer's Accounts.*

**T**HERE shall be chosen by the new Council of the Hospital, out of their own Number, upon the last *Monday* of *October* yearly, four Auditors of the Treasurers and all others Accompts belonging to the Hospital: Whereof one shall be an old Magistrate, one Minister, and two others, all Governors

for the Time, who, or any two of them, shall, the first *Tuesday* of each Month, audit and perfect the said Treasurer his Accompts for the Month immediately preceeding, with Power to comptroll: Which being subscribed by them, or any two of them, shall be holden for a good Monthly Account in due Form. Reserving always to the Body of the Governors, to comptroll the whole Accompts. The last *Monday* of every next Month after the End of each Quarter, the Treasurer and Auditors shall deliver to the Body of the Governors assembled at the quarterly Meeting, their Accompts of the three last Months past, fairly written in a Book, containing all Sums less or more, paid during that Space, with their Report subscribed, which shall be read publickly, and there either comptrolled or allowed, the Allowances thereof shall be made under the Hand of the Clerk of the Hospital, and subscribed by the Preles and him, with these Words, *By Order of the Governors of the Hospital.* Which Book of Accompts for three Months, so allowed, shall ly open for the Space of eight Days thereafter upon the Table; so that if any of the Governors, or of these who have given Donations, or their Heirs (but none else) have a Desire to peruse them, they may: And if they find any Oversight or Fault therein, the Discoverers thereof are charged

on Conscience to reveal it to the Governors, who shall take Care to correct and amend it. The last *Monday* of *October* yearly, the Auditors shall deliver up to the Body of the Governors assembled, the whole preceeding Years Accompts, where they shall be controlled or allowed every Way, as is expressed in the quarterly Accompts. The Election of Auditors shall be by Plurality of Suffrages of the Governors, or their *Quorum*. And they shall give their Oaths in Presence fore said, as is given by the Treasurer *mutatis mutandis*. And if any of them shall happen to die, or not accept, the Governors shall within ten Days elect one in his Place.

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## CHAP. IX.

*Anent the Election and Office of a Clerk.*

**T**HERE shall be chosen by a Plurality of Voices, as aforesaid, a Clerk to the Hospital, who shall hold the said Office from Year to Year, during the Governors Pleasure. His Office shall be, fairly and faithfully to keep in order all the Evidents and other Papers whatsoever belonging to the Hos-



Hospital, and to attend the Governors at their Meetings, and there to draw and form all Orders and Resolutions made by them : He shall likewise have the sole Benefit of drawing and composing all Manner of Evidents, Securities and Writings which shall be made betwixt the Hospital and any Party, and shall receive therefore, no greater Fee than is usually paid, either to the Writers to the Signet, or to the Town-clerk of Edinburgh in the like Cases. After his Election, and before his Admission to the Place, he shall take the Oath, in the same Form as is expressed in the Oath of the Treasurer (*mutatis mutandis*). Upon his Death or Removal, the Governors shall proceed within ten Days, to the Election of a new one in Manner above-expressed. The Clerk shall have paid to him quarterly by the Treasurer of the Hospital, the Sum of

## CHAP. X.

*Anent the Election and Office of a Governess.*

**T**HERE shall be an unmarried Woman of good Respect, and free of the Burden of Children, chosen Governess of the Hospital, who shall have Power to govern all the Children and Servants within the same. Her principal Care shall be, to see that the Children and Servants be brought up in the Fear of Almighty GOD. And therefore she shall, every Sunday, Tuesday and Thursday, some Time of the Afternoon, catechise and instruct the Children and Servants in the common Grounds and Principles of Faith and Christian Religion contained in the larger and shorter Catechisms, approven of by this National Church. And if any of the Children or Servants shall be guilty of Misdemeanors, such as Swearing, Fighting, Lying, Spoiling of their Cloaths or Chambers, or the like, that they receive due Correction and Chastisement from her. *Next*, Her Care shall be to take in, once every Week,

all the Servants weekly Accompts, and deliver the same to the Treasurer, with her Opinion thereanent : And therefore the Governors shall have a special Care, that the Governesse to be elected have these Qualifications, *viz.* That she be a Woman of the reformed Protestant Religion, fearing GOD, of honest Life and Conversation, of so much Knowledge as to be fit to teach the Catechism, and to keep the Worship of GOD by Prayer and Praises with the Children thrice a Day, and as oft read, or cause some of the Children read a Portion of holy Scripture distinctly ; and of so much Discretion, as to be fit to govern and direct all that live within the said Hospital ; and of that Care and Prudence, as to be fit to take an Account of the same ; not under Forty Years of Age, who shall have exact Knowledge of the Art, Virtue and House-wifery that is taught within the Hospital. Her Election shall be by the Governors or their *Quorum*, as the Treasurer. And before her Admission she shall in Presence of the Governors take the following Oath.

**I** A. B. *electd Governesse of the Maiden-Hospital, founded by the Company of Merchants of Edinburgh and Mary Erskine, Do swear and faithfully promise before GOD, that to my best Power, I shall discharge all*  
C 3
*which*

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which the Statutes of the said Hospital do re-  
quire of me; and shall do my best to see all the  
Statutes of the said Hospital observed by others  
within the Hospital, and under my Care and  
Inspection: And do promise faithful Obedience  
to the present Governors of the Hospital, and  
their Successors in Office.

So help me GOD,

After which she shall have given her Pos-  
session by some of the Governors thereto ap-  
pointed, of the Governess her Lodgings, and  
in Presence of the Children and Servants, be  
publickly declared Governess over them,  
and they commanded to yield all respectful  
Obedience to her in all Things she shall com-  
mand them, under the Pain of being expelled  
from the Hospital. She shall have her Diet  
at the Upper-end of the Hall, at a little  
Table by herself; And she shall not be any  
Night out of the Hospital, without the Leave  
of two at least of the Governors; and shall  
have a Care to see the whole Chambers and  
Office-houses swept and kept clean and neat,  
and preserved from spoiling. She shall keep  
in a Book for that End, an exact Inventory  
of the Household Plenishing, Furniture and  
Linnens, and deliver the same to the Gover-  
nors yearly,

Days before the  
Treasurer's making up his annual Accompts,  
that the Governors may revise and put an  
Esti-



Estimate upon the same, to be entred in the Treasurer's Accounts as a Branch of Stock. If at any Time the Governess shall marry, her Place shall thereby become void. And if at any Time she shall be convicted before the Governors of the Hospital, of any Scandal or Crime, she shall therefore be deposed. If at any Time she shall be found remiss or negligent, she shall be publicly admonished by the Governors, and the Admonition recorded: And if thereafter she shall offend in like Manner, she shall be deposed. And if through Infirmary, old Age, or otherwise she shall become unable to exerce the Office, which shall be made unquestionably to appear before the Governors, then she shall be respectfully dismissed from the said Office: But if she has served therein any considerable Time, at least ten Years, and be not able to maintain herself, and if she please to accept thereof, she shall be allowed Lodging and Maintenance in the Hospital during her Lifetime. In case of her Deposition, Death or Dismission, the Governors shall, with all Conveniency and Expedition, enquire for, and elect a new one. She shall receive quarterly from the Treasurer, the Sum of

## CHAP. XL

*Anent the Election and Office of  
School-mistresses.*

**B**ECAUSE the Children of the Hospital are to be taught and brought up in Virtue, there shall be School-mistresses, whose Office it shall be, to teach to read, work Stockings, Lace, coloured and white Seam, washing and dressing of Linnens, dressing of Meat, cleaning of Houses, and all other ordinary Household Thrift; and if they can, to teach the Girls also Writing, Arithmetick, and the common Parts of Vocal Musick. And if Women cannot be got to teach the whole Art above-mentioned, then the Governors are to provide an honest Man, who shall come to the Hospital six Hours, divided into three Diets each Week, to teach Arithmetick, Writing and Singing. For every Twenty Scholars there shall be a School-mistress: And if there be a Fraction or odd Number less than Ten, the same shall be divided among them as the Governess shall direct. And if the Fraction be above Ten, there shall be an additional School-mistress; and the

the whole Mistresses shall have an Ease and Diminution, according to the Number wanting, at the Appointment of the Governess. The Mistress, besides the special Part of Duty above, shall be careful to see the Children their Chambers kept clean, their Cloaths handsome, and all other Parts of the Hospital free from Abuse; they shall correct the Children for their Faults. For their own Qualities of Life, good Report, &c. for the Manner of their Election, Admission, Deposition, and Election of new ones in their Place, it shall be in all Points the same as is expressed in the Rules which concern the Governess, and in all the Duties of their Office, shall be subject to the Oversight and Direction of the Governess. They must be unmarried, and free of the Burden of Children, and not under Twenty five Years of Age. And each of them shall receive from the Treasurer quarterly the Sum of

CHAP.

## CHAP. XII.

*Anent the Election and Offices of a  
Steward and Cook.*

There shall be chosen an unmarried Woman, free of the Burden of Children, of good and honest Report, to be Steward to the Hospital. She shall be charged with the buying the whole Victuals and Provisions of the Hospital, whereof she shall keep a distinct Account, to be daily given in to, and examined by the Governess, for making up her weekly Accompts; and shall take some of the Children by Turns to the Market, that they may learn the Art of Marketing. She shall oversee the making ready the Diet of all within the Hospital, that the same be exactly and nearly done; and orderly distribute. She shall have the Oversight and keeping of all the Table-Furniture, and shall be assistant to teach the younger Children; and in all Duties of her Office, shall be subject to the Oversight and Direction of the Governess. She shall be elected, and subject to Deposition in the same Manner as the



the Governesse, and shall receive from the Treasurer quarterly, the Sum of

There shall also be chosen an unmarried Woman, free of the Burden of Children, of good and honest Report, to be a Cook to the Hospital : She shall be charged with the clean and exact dressing of the Victuals. Two or three of the Children shall by Turns, as appointed by the Governesse, assist at the dressing of the Victuals, that they may learn to handle Meat neatly. She shall have the Oversight and Keeping of all Utensils belonging to the Kitchen, which shall be delivered to her upon Inventory. And in all the Duties of her Office, shall be subject to the Oversight and Direction of the Governesse. She shall be chosen, continued, and subject to Deposition in the same Manner as the Governesse, and shall receive from the Treasurer quarterly, the Sum of



### CH. A P. XIII.

**T**HAT none bearing Office within the Hospital, presume to exact or receive any Gift or Perquisite from the Children or their Parents or Friends, under the Pain of Deprivation.

And

And it is hereby declared, That the Blanks for Fees and Salaries in these Rules and Constitutions, may be filled up by the Governors, after due Consideration and Experience of what may be suitable to be allowed.



## CHAP. XIV.

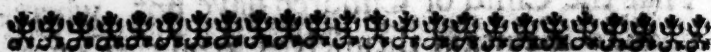
### *Anent the Qualifications and Election of the poor Children.*

There shall be chosen and admitted into the Hospital, so many Children as the stated and certain Revenue shall be able to maintain, *deductis deducendis*. They shall be the Children or Grand-children, Daughters of such who are or were of the Order and Calling of Merchants Burgesses of *Edinburgh*, or Ministers thereof, and Suburbs of the same, or have been Governors of, or Benefactors to the Hospital. *Reserving* always to the Patrons of Patronages, the Right and Privilege of presenting any Girls, who are Objects of Charity, as they please, unless by the Patronage it be otherwise restricted. *Providing* that no Girls be chosen or presented, either upon Patronages or otherwise, who are under seven Years, or

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Eleven Years of Age. They must be whole-  
 some and sound of their Body at their Entry  
 to the Hospital; and each of them decently  
 apparelled. And seeing the Intention of this  
 Foundation is only to relieve the Poor, as is  
 before mentioned, none are to be chosen, un-  
 til their Parents, and in Defect of them, a  
 near Relation or Friend, shall, in Presence  
 of the Governors, solemnly declare, That  
 the Parents, and where there are no Parents,  
 That the Child or Children have not where-  
 upon to maintain themselves: And the Contri-  
 butors foresaid, do hereby strictly charge the  
 Consciences of the Electors, and require them,  
 not to choose any, but such as are proper Ob-  
 jects of this Charity. And it is specially re-  
 commended to the Governors for the time,  
 not to receive into the Hospital, a greater Num-  
 ber of Children, than they can reasonably sup-  
 pose the then stated and certain Revenue of  
 the Hospital will easily maintain, with a  
 Reserve of such a Part of the said certain  
 Revenue, to be added to the Stock for de-  
 fraying Accidents, as they shall judge pro-  
 per. The ordinary Election shall be twice in  
 the Year, *viz.* the last *Mondays* of *November*  
 and *May*, when it is to be considered by the  
 Governours, what Vacancies there are, and  
 how many the stated and certain Revenue  
 of the Hospital, making a Reserve as above,  
 is able to maintain, that so many qualified  
 as

as before exprest, be presently chosen. They shall have Lodging, Bed, Dyer, Washing, and common Fires allowed them, besides their being educate and taught in Manner foresaid. They shall be comely and decently apparelled. They shall continue in the Hospital until they be fifteen Years of Age compleat at least, or until they be seventeen Years of Age at most, as the Governours shall think fit.



## CHAP. XV.

### *Anent Patronages for Children.*

**W**Hatever Person, Company, Corporation or Society shall give a Donation of Three thousand six hundred Merks, or shall add to their former Donation, so as to make it up Three thousand six hundred Merks, they and their Heirs shall have the Right of presenting a Girl to the Hospital, and if the Heir or any who has given a former Donation shall add thereto, so as to make it Three thousand six hundred Merks, the said Heir and his Heirs shall have the like Right of presenting, and if any Number of Persons shall



shall jointly and at one and the same Time, pay a Donation of Three thousand six hundred Merks, they shall have the Presentation of one Girl by Turns; And further, whatever Person, Company, Corporation or Society shall give a Donation of Three thousand Merks, or shall add to their former Donation, so as to make it up Three thousand Merks, they and their Heirs shall have the presenting of one Girl, who shall be the Child or Grandchild of such who are or were of the Order and Calling of Merchants, Burgeses of Edinburgh, or Ministers thereof, and Suburbs of the same, or have been Governors or Benefactors to the Hospital; and if the Heir of any who has given a former Donation, shall add thereto, so as to make it Three thousand Merks, the said Heir and his Heirs shall have the like Right of presenting one Girl, qualified as above-mentioned, and the Children presented, by Virtue of the fore-said Patronages, shall be recorded as presented by the particular Patrons presenting; and as oft as any Presentation shall sink, the Patrons thereof shall have the renewing of the same, providing they present within a Year after the Vacancy, or otherwise that the Presentation fall *pro ista vice*; And in like Manner if any Number of Persons shall jointly, and at one and the same Time pay a Donation to the said Hospital of Three thousand Merks,

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Marks, they shall by Turns have the presenting of a Child qualified as above-expressed, to be entred and received in Manner foresaid. And it is hereby declared, that the Ministers of *Edinburgh, Canongate, Leith and Westport*, who have been very instrumental in promoting the Interest of the Hospital, and are Contributors thereto, and their Successors in Office, shall jointly have the Presentation of one Child in all Time coming. And it is likewise hereby statute and declared, that the Successors of the worthy *Mary Erskine* shall, in all Time coming, have the Presentation of four Children, qualified in the Terms of the Contract with her before-mentioned, besides any other Patronages belonging to her and her Successors, on Account of any Donation separate from the Price of the Lands of *Bristo*.

In the Edition printed anno 1708, the Sum of Twethousand Marks Scots, intituled the Donor to a Right of Presentation, but by an Act of the Contributors, dated the Tenth Day of February 1718, this was altered in Manner above-written, and the Chapter ordered to be printed as it now stands.

CHAP.

## CHAP. XVI.

*Anent Orphans who are able to pay  
for their Education in the Ho-  
spital.*

**T**Hat any Parents or Friends of Orphans  
or others, may have Female Children,  
educate and maintained in the Hospital, giv-  
ing at least Two hundred Merks of Donation  
thereto, and paying the Charges of their  
Maintenance and wearing Cloaths, accor-  
ding as the Governors shall appoint. Which  
Children shall be privileged to sit at Table,  
and diet with the Governess.

## CHAP. XVII.

**ACT** for encouraging Donations  
and Mortifications.

**T**Hat if any Person or Persons valetudinary,  
come to the Age of Fifty Years or a-  
D above,

bove, shall mortify any Part of their Estate  
 to the Hospital, the Governors are impowered  
 to negotiate with them for such an Annuity  
 during their Lives, as shall seem reasonable,  
 and correspond to so charitable a Dispensation  
 of their Goods. And if any Person or Persons,  
 having made a Donation to the Hospital,  
 shall afterwards become indigent, in that  
 Case the full Interest of their Stock mortifi-  
 ed and paid in, shall be allowed to them du-  
 ring Life, if required.

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CHAP. XVIII.

*ACT for recording all Donators  
 Names in the Books, and putting  
 up the same with gilded Letters  
 in the Hall of the Hospital.*

**A**ND to the Effect that due Honour may  
 be done to Donators, *It is enacted,*  
 That all Persons whatsoever who have al-  
 ready, or shall at any Time hereafter, mor-  
 tify any Sum to the Hospital, their Names  
 shall be honourably recorded in the Books,  
 and also, in gilded Letters within the Hall  
 of the said Hospital.

CHAP.



## CHAP. XIX.

### *Anent the safe keeping of the Hospital's Rights and other Writs.*

**A**ND it being necessary, that the Rights, Evidents, and other Writs of Importance belonging to the Hospital be kept safe and in good Order; and likewise when there shall be at any Time through GOD'S Blessing a greater Sum lying in Specie than what is like to be necessary for defraying the Charges of the Hospital, it were hard that the Treasurer should be troubled with so great a Charge. **THEREFORE**, both with Respect to the Papers and Money, it is appointed that a convenient secure Room be set apart within the Hospital, having three Locks on the Door with three different Keys, One whereof to be kept by the Master of the Merchant Company, One by the said old Dean of Guild, and one by the Treasurer of the Hospital.

## CHAP. XX.

*Anent the securing of the Hospital's  
Stock and Estate.*

**A**ND in Respect frequent Losses fall out in lending Money, *It is enacted and appointed*, That no Money belonging to the Hospital be laid out or imployed, but by Warrant of an Act of the Governors, voted by Way of billeting; and that either for purchasing of Land, or upon real Security of Land repulse free of Incumbrances, or to the Town of *Edinburgh* on the publick Security, or to any three responsal Persons bound conjunctly and severally, providing the Sum lent to these three Persons, do not exceed Nine thousand Merks.

CHAP.



## CHAP. XXI.

*Anent a yearly Convention of the  
Contributers, for better Settling  
the Government of the Hospital.*

**I**T is hereby Declared, that for the better  
Establishing and Ordering the Govern-  
ment of the Hospital for Advancing so pious  
and good a Work after due Experience ; It  
shall be *Leisom* to the Contributers and  
Donators to meet yearly in the Hall of the  
Hospital upon the second *Monday* of *February* ;  
And if at any of the saids annual Meetings,  
there shall be present at least Twenty one  
Donators, whose Donations amount to at  
least Twenty thousand Pounds ; It shall be  
*Leisom* to them to re-consider the foresaids  
Rules and Constitutions, and alter and in-  
novate the same, or add thereto, and to ap-  
point such Clerks and Comptrollers as they  
shall judge proper ; Keeping always the Fun-  
damental Conditions premised in the first  
Paper of Subscriptions, and the Articles a-  
greed on betwixt the Governors and *Mary  
Erskine*, contained in the Contract before  
mentioned. Providing that such Alterations,

Innovations or Additions be agreed to by at least two thirds of the Persons present, and Subscribed by them; And in case at any of the saids annual Meetings there shall not be the full *Quorum* abovementioned present, it shall be *Leisom* to such as have met, to adjourn from time to time during the said Month of *February*, to the Effect they may get a full *Quorum*, and proceed as above; And it shall be *Leisom* to all Ladies and Women who are, or shall be Donators, to send their Proxies to the saids annual Meetings, he always having a written Mandate for that Effect.

*Ratification and Approbation of the whole preceeding Rules.*

**I**N a General Meeting of the Contributors and Donators to the Maiden Hospital, founded by the Company of Merchants and *Mary Erskine*; The Rules and Constitutions for the Management and Government of the said Hospital contained in the

Leaves preceeding, being read and deliberately considered, the same are unanimously agreed to and approven of, and appointed



pointed to be punctually observed and obeyed by all concerned, as the Rules and Constitutions of the Hospital; Recommending to, and requiring the Governors for the time to see the same punctually observed according to the true Meaning and Intent thereof; Declaring all the Contributors and Donators, and such as shall hereafter be Donators, to be bound to observe the same; Reserving always to the Contributors Power and Faculty of Reviewing, Correcting and Amending the saids Constitutions, according to the Nineteenth Chapter; Recommending hereby to the Governors for the time, to cause Extract the Act and Ratification of Parliament in Favour of the Hospital, and prefix the same to their Constitutions; And also to apply for, and sue for the Approbation and Ratification of the saids Rules (as now amended) by the Lord Provost, Baillies and Town-Council of *Edinburgh*, requesting the said Lord Provost, Baillies and Town-Council to grant the same. And the fore-said whole Rules and Constitutions, with the Act and Ratification of Parliament prefixed thereto, as said is, with this present Act of Ratification, are hereby appointed to be printed.

In Witness whereof, these presents are subscribed by the Persons present at the Ge-

neral Meeting, and thereafter the same are approved off and subscribed by many other considerable Contributors and Donators, who were not present at the said Meeting.

Also, the Copy for printing was by Order of the General Meeting, collated and compared with the principal by Mr. Thomas Pringle Writer to the Signet, and David Spence Secretary to the Bank.



**ACT**

In Witness whereof, these presents are  
 subscribed by the persons present at the Co-  
 munal

# ACT of COUNCIL,

*Ratifying the New Constitutions of the Maiden-Hospital, erected by the Company of Merchants and Mary Erskine.*

*Edinburgh the Nineteenth Day of March, One Thousand seven Hundred and eight years.*

**T**HE which Day, the Lord Provost, Baillies, Council, Deacons of Crafts Ordinary and Extraordinary, being convened in Council, anent the Petition given in by *William Baird* present Treasurer to the Good Town of *Edinburgh*, and Master of the Company of Merchants there, and *Robert Tod* Treasurer to the Maiden Hospital founded by the said Company of Merchants, and *Mary Erskine*, for themselves, and in Name of the other Governors thereof, shewing, that the said Company of Merchants having several Years ago projected the Founding of a Maiden Hospital; they, by the Blessing of GOD attending their Endeavours, with the Assistance of many charitable Persons of several Ranks; especially of the charitable and pious *Mary Erskine*, did  
early

carry on that worthy Design, and have now brought it to a very good Length. And the Governors having some Years ago applied to the Town-council, the then Lord Provost and Council, did by their Act, dated the Third Day of *May*, One thousand seven hundred and four Years, approve of the said pious and charitable Design and Foundation; and declared that they would give all due Encouragement and Assistance for carrying on, and perfecting so good a Work, as the Extract of the said Act produced will testify, since that Time the Government of the Hospital has continued, according to the Rules and Constitutions then given in to the Council, and agreed to and approved; and, by the rich Blessing of the Almighty, the Stock is considerably augmented, to the great Satisfaction of all well disposed Persons, and Honour, as well as the real Advantage of the good Town in many Respects; and there is good Ground of Hope, that the same will yet much more increase, especially if the Council shall give that Encouragement and Assistance thereto, which was by the foresaid Act promised and confidently expected from the Patrons of all publick Undertakings within the City, to whom the Governors of the said Hospital have had a special Regard in all their Proceedings, particularly to be noticed in this, that five of the Governors must



necessarily be chosen out of the Town-council, beside such other Counsellors as may occasionally happen to be elected. Albeit the Constitutions and Rules of Government were agreeable to all Circumstances under View when made, yet, upon an Emergence for the Hospital's Advantage, there was a Contract entred into, upon the Twelfth and Thirteenth Days of *March* One thousand seven hundred and seven Years, betwixt the then Governors, authorised by an Act of the Contributors to that Effect, on the one Part, and the said *Mary Erskine* on the other Part, whereby the said Governors became bound, that the Contributors should make certain Alterations and Amendments of the Constitutions: They in a full Meeting upon the Ninth Day of *February* last have agreed to, voted and approved of these Alterations and Amendments, with some other Amendments found by Practice very convenient and advantageous for the Hospital, conform to the Duplicate of these Constitutions, as now altered and amended, therewith given in. The Governors did, last Session of Parliament obtain a Ratification of the Settlement of this Hospital, and of the Rules and Constitutions made, or to be made for governing thereof, and particularly what is contained in the Contract with the said *Mary Erskine*: And the Contributors having recommended to the Go-

vernors

vernors to apply to the Council for Ratification, *craving* therefore the Council to ratify and approve the new Draught of the Rules and Constitutions for managing the said Maiden Hospital, and to bestow some of their wonted Bounty upon the same, suitable to the Share of Government they have in it, and to what was formerly promised, and now hoped for; that others may thereby be animated and encouraged to contribute their Endeavours for advancing such a laudable Foundation, as the Petition bears. And together with the said Petition, the said Petitioners produced the Extract of the said former Act of Council, with the Contract foresaid betwixt the then Governors of the said Hospital and the said *Mary Erskine*, and a Duplicate of the new Draught of the Constitutions, of the Dates, Tenors and Contents abovementioned; all which being read in Presence of, and considered by the Council, upon the Twelfth Day of *March* Instant, they remitted the Consideration of the above Petition to the Magistrates, *Gavin Plummer* Conveener, *Mr. Alexander Nisbet*, Deacon *Scott* and Deacon *Nimmo*, who were to report their Opinion thereof to the Council. Conform to which Remit, the above Committee having, upon the said Nineteenth of *March* Instant, met and considered

the

the above Petition, and Act of Council above-mentioned, therewith produced, approving the then Rules and Constitutions of the Hospital, and having exactly perused the new Draught of the Rules and Constitutions for managing of the said Hospital, together with the Contract betwixt the Governors and the said *Mary Erskine*, they found the same to be exact, and for the Hospital's Benefit and Advantage, no Ways disagreeable to, or against the Rights, Liberties and Privileges of the Community of the good Town; and that the Contributors and Governors have, in all their Proceedings, had a special Regard to the Government of the same, and testified a due Respect to the Lord Provost, Baillies and Council; and were of Opinion, that, as the Town-Council has a large Share in the Government of the Hospital, so they should not only give all Encouragement and Assistance for advancing thereof, but also contribute suitably for increasing the Stock and Fund of the same, that thereby so very necessary, pious and charitable a Work, now well established, may be further carried on, to the Honour and Advantage of the Community, and great Comfort of both the charitable and necessitous; and that the Council should pass an Act of Ratification and Approbation of the said new Draught of the Constitutions, as the said Report, written

on the Back of the said Petition, and signed by the said Committee, bears. Which Petition and Writs above-mentioned therewith produced, with the above-written Report, being, upon the Date of thir Presents, read in Presence of, and considered by the Council, and the extraordinary Deacons, and they being therewith well and ripely advised, they approved, and hereby approve of the above Report; and, in the Terms thereof, have ratified and approved, and hereby ratify and approve of the said new Draught of the Rules and Constitutions of the said Hospital; resolving to give all Encouragement and Assistance for advancing the Interest of the said Hospital,

Extracted by

*Sic subscribitur* ADAM WATT

016 JAN 1971

*The Form of the worthy, pious and charitable  
Lady Pennycook her Mortification,  
found amongst her Papers after her Death,  
and delivered by her Executors to the  
Governors of the Hospital, anno 1701.*

**F**OR as much as, it hath pleased GOD  
in his infinite Goodness and Bounty,

to



45  
to provide for me a sufficient Competency,  
whereby I am decently maintained and fur-  
nished in all Things suitable to my Station  
and Condition, yea, I have considerably to  
leave and bequeath to my good Friends and  
near Relations, besides somewhat I have re-  
solved and determined to mortify and dis-  
pose upon for pious and religious Uses : And  
seeing I not only greatly applaud and approve  
of the Design lately taken up, for maintain-  
ing and educating of young Girls within the  
City of *Edinburgh*, but also have determin-  
ed to set apart some little of my Means to-  
ward advancing the Fund of such a religious  
Work : Therefore, wit ye me, &c. to pay the  
present Treasurer of the *Maiden Hospital* in  
*Edinburgh*, and his Successors in that Office,  
for the Use and Behoof of the said *Hospital*,  
&c. and dispensing with the  
not Delivery, &c.

*The*

46  
*The Narrative of a Bond of Donation, for  
a considerable Sum, delivered to the Go-  
vernors of the foresaid Hospital, by a  
pious and learned Gentleman, eminent in  
his Station, bearing Annualrent from  
Martinmas 1697.*

**I** considering, That the  
worthy and laudable Design of a *Maiden  
Hospital* lately carried on in *Edinburgh*,  
ought to be helped forward and encouraged,  
and especially by such as have more particu-  
lar Relation to the Place; bind and oblige  
me, my Heirs, Executors and Successors  
whatsomever, (in Name and Behalf of  
my Eldest Son, who  
had his Birth and Baptism within the said  
City,) to pay and deliver to the Treasurer  
of the said *Hospital* for the Time being, the  
Sum of, &c.

F I N I S.

